

FILED
JOHN P. HEHNAT
CLERK

UNITED STATES DISTRICT COURT 2014 NOV -6 PM 12: 57

for the
Southern District of OhioU.S. DISTRICT COURT
SOUTHERN DIST OHIO
WEST DIV CINCINNATI

United States of America)

v.)

Michael R. Hoyt)

Case No.

1:14MJ-693

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of October 29, 2014, in the county of Hamilton in the
Southern District of Ohio, the defendant(s) violated:

Code Section

18 U.S.C. § 115(a)(1)(B)

Offense Description

Defendant did threaten to murder John Boehner, Speaker of the United States House of Representatives, with intent to impede, intimidate, and interfere with such official while he was engaged in the performance of his official duties.

This criminal complaint is based on these facts:

See attached affidavit which is incorporated herein.

☒ Continued on the attached sheet.

Complainant's signature

Christopher M. Desrosiers, Special Agent, USCP

Printed name and title

Sworn to before me and signed in my presence.

Date:

11/6/14



Judge's signature

City and state: Cincinnati, Ohio

Stephanie K. Bowman, United States Magistrate Judge

Printed name and title

**AFFIDAVIT IN SUPPORT OF A CRIMINAL
COMPLAINT AND ARREST WARRANT**

I, Christopher M. Desrosiers, being first duly sworn, hereby depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I am a Special Agent (SA) with the United States Capitol Police (USCP), where I have served since February 2007. I am currently assigned to the Investigations Division Threat Assessment Section. My duties and responsibilities, among other things, include investigating threats made to members of Congress. I have attended the Criminal Investigator Training Program at the Federal Law Enforcement Training Center in Glynco, Georgia. I have received training and gained experience in search warrant and arrest warrant applications. I have participated in numerous investigations into threats against members of Congress to include violations of Title 18, United States Code (U.S.C.), Section 115(a)(1)(B).

2. The facts set forth below are based upon my own observations, investigative reports and information provided to me by other law enforcement agents. This affidavit is intended to show only that there is sufficient probable cause for the requested warrant and does not set forth all of my knowledge about this matter.

PROBABLE CAUSE

3. On October 29, 2014, the United States Capitol Police and FBI-Cincinnati office were contacted by the Chief of the Deer Park Police Department regarding a 911 call and subsequent threats made by **MICHAEL HOYT** against Congressman John Boehner.

4. On October 29, 2014, at approximately 12:02 p.m., **HOYT** dialed 911. Before hanging up, **HOYT** provided his first name and requested that the operator tell his father that he was sorry. An officer from the Deer Park Police Department responded to **HOYT's** address and

made contact with **HOYT**. **HOYT** advised that he had been fired from his job at Wetherington Country Club in West Chester, Ohio, and did not have time to put something in John Boehner's drink. **HOYT** told the officer that he was Jesus Christ and that he was going to kill Boehner because Boehner was mean to him at the country club and because Boehner is responsible for Ebola. **HOYT** advised he had a loaded Beretta .380 Automatic, and he was going to shoot Boehner and take off. **HOYT** volunteered to be taken to University of Cincinnati hospital for psychiatric evaluation. Deer Park Police Department signed a 72-hour hold on **HOYT** at the psychiatric ward and recovered the .380 handgun from his residence for safekeeping. The weapon is currently being maintained by Deer Park Police Department.

5. Due to concerns **HOYT** may be released from the hospital, your Affiant immediately contacted Congressman Boehner's USCP protection detail and contacted FBI Cincinnati and requested **HOYT** be interviewed. On October 29, 2014, FBI Special Agents interviewed **HOYT** at the University of Cincinnati Emergency Psych Ward, 311 Straight St., Cincinnati, Ohio 45219. **HOYT** provided the following information.

- a. **HOYT** confirmed his date of birth and Social Security number and provided a home address of 3904 Matson, Cincinnati, Ohio 45236. **HOYT** worked as a bartender at Wetherington Country Club in West Chester, Ohio, for approximately the last five and a half years. Congressman John Boehner is a member of the country club. Approximately one week ago, **HOYT** was fired because according to his supervisor – whose residence **HOYT** visited upon learning of his termination – he often had a bad attitude at work and several club members complained about him.

- b. **HOYT** was visibly upset talking about being fired and about the circumstances surrounding it. **HOYT** believes John Boehner and other members of the country club got him fired.
- c. **HOYT** has imagined and believes John Boehner is the devil, and **HOYT** believes he is Jesus Christ. **HOYT** also believes Boehner is responsible for the Ebola virus. Dr. Bob Buring is another member of the Wetherington Country Club. **HOYT** has personally interacted with Boehner and other members of the country club, including a “Dr. Bob.” **HOYT** used to pour wine for Boehner and had several direct conversations with “Dr. Bob.” **HOYT** wanted to talk with Boehner and “Dr. Bob” about the Ebola virus but believes Boehner would not address the Ebola issue. **HOYT** also wanted President Obama to be in on the meeting.
- d. **HOYT** told agents that he has often imagined himself confronting Boehner and “Dr. Bob” in front of a large crowd. **HOYT** specifically mentioned one particular scenario, in which he confronted Boehner about Ebola in front of one of the sports stadiums in downtown Cincinnati, where large crowds would be present.
- e. **HOYT** was previously treated for a psychotic episode approximately two years ago. Around that time, **HOYT** was under significant duress. He was having issues at work and he also was ‘jumped’ by several individuals for an unknown reason. **HOYT** was taken by police to West Chester Hospital, where he received a psychiatric consult. **HOYT** was prescribed psychotropic medication, which he voluntarily stopped taking after about six months. **HOYT’s** boss was aware **HOYT** had been treated and released. **HOYT** admitted to having suicidal thoughts from time to time but has so far not acted on them.

- f. After being fired from Wetherington Country Club, **HOYT** began hearing the devil's voice from the speakers of his car radio and his radio at home. The voices were telling him that John Boehner was evil. After calling 911 on October 29, 2014, **HOYT** admitted to telling a Deer Park police officer that he needed to kill John Boehner.
- g. **HOYT** dialed 911 because he believed evil people were going to "come chop him up," and he was trying to expose the devil (John Boehner). **HOYT** was questioned as to whether he really intended to kill or hurt Congressman Boehner. **HOYT** confirmed that a .380 automatic handgun was discovered by police at his residence, but he had no intention of hurting himself, Congressman Boehner, or anyone else.
- h. **HOYT** advised that he often poured drinks for Boehner and could have already put something in his drink, but he did not. **HOYT** stated that no one checks the drinks he poured for Boehner, and it would have been very easy to slip something into his drink. Recently, **HOYT** emailed Boehner's wife at her work email address (Sibcy Cline) and told her that he could have hurt Boehner, but he has not. **HOYT** claimed Boehner's wife responded, but he could not remember the content of her response. **HOYT** saved the content of the message on his computer.
- i. **HOYT** told agents that on the evening of October 28, 2014, he typed an 11-page blog regarding his aforementioned thoughts about Congressman Boehner being the devil and being responsible for the Ebola virus. **HOYT** does not remember if

he typed the blog on a particular website, but he confirmed that he emailed a copy to his father, to his ex-girlfriend, and to his neighbor.

j. **HOYT** is hoping that the current law enforcement interest in his threats will prompt Congressman Boehner to apologize to **HOYT** for being fired and force him to address Ebola.

k. Regarding access to weapons, **HOYT** advised he has at least one additional firearm at his residence, an SKS which he keeps in the corner of his bedroom. **HOYT** also has a BB gun. Aside from the firearms, **HOYT** advised there are many things around his house that he could use as weapons, such as knives, a can of gasoline, or an ax. When asked if he would be willing to voluntarily give up any firearms to authorities, **HOYT's** demeanor changed notably and he indicated resolutely that he would not give up his guns without a warrant.

l. **HOYT** does not believe his father owns any firearms (BB gun only). **HOYT's** stepfather is a retired Cincinnati Police Department Officer and has at least one revolver. **HOYT** regularly visits with his father and stepfather.

6. On October 30, 2014, your affiant, along with another USCP special agent and a FBI Task Force Officer, interviewed the General Manager of the Wetherington Country Club. The General Manager provided Special Agents with a copy of an email sent by **HOYT** addressed to "Mr. and Mrs. Boehner." The email addressed various grievances **HOYT** had with his termination and the country club management. The General Manger also stated that country club employees generally all know where members reside on the golf course.

7. On October 30, 2014, your affiant, along with another USCP special agent and a FBI Task Force Officer, interviewed Mrs. Boehner at her residence. She provided agents a copy

of emails that she received from **HOYT**. The first email, sent October 28, 2014, at 2:10 a.m., stated "Mr. Boehner, I sincerely do not want to embarrass anyone. I am willing to drop all of this if you and Dr. Bob Buring deliver my termination report to me personally, or transport me to a secure location where the three of us can have an honest conversation. If I had any intention of hurting Mr. Boehner I could have poisoned his wine at Wetherington, many many times. I do not believe I have lied about anything nor exaggerated. This is extremely urgent. Tuesday. Earlier the better. Talk to Dr. Bob Buring. PLEASE!!! We can work together and succeed or fail miserably. My phone died. I am at home. I have a dog and cat so please do not bust in. I will leave my lights on inside and out all night. You probably already know where I live. 3904 Matson Ave Deer Park, Ohio 45236-6336"

a. In response to this email, Mrs. Boehner replied on October 28, 2014, at 9:53 a.m., "What is this about??"

b. On October 29, 2014, at 10:33 a.m., **HOYT** responded, "Mrs. Boehner, I was fired. I could not email Mr. Boehner directly because of the zip code block on his email. It doesn't matter anyway. If he took a real interest in anything he would insure his Club was better than the Country, but they are exactly the same and life goes on SSDD. Sincerely, Mike. Mike, your former bartender."

8. On October 30, 2014, your affiant, along with another USCP special agent and a FBI Task Force Officer, interviewed **HOYT's** direct supervisor. She stated that **HOYT** was terminated due to being confrontational with country club members and insubordinate to management.

9. On October 30, 2014, your affiant along with another USCP special agent and a FBI Task Force Officer interviewed **HOYT's** father and stepmother at their residence in West

Chester. They stated to agents that during a previous psychotic episode in 2012, while in the hospital, **HOYT** locked himself and his stepmother in his room and began to damage property in the room. They stated to agents that they were aware **HOYT** possessed the handgun seized by Deer Park Police. Prior to this incident, they were unaware of any other weapons owned by **HOYT**; however, they were informed by **HOYT**'s mother that she removed an SKS assault rifle from his residence prior to the October 29, 2014, incident.

10. On October 31, 2014, pursuant to a search warrant signed by the Honorable Karen Litkovitz of the Southern District of Ohio, USCP and FBI Special agents conducted a search of **HOYT**'s residence located at 3904 Matson Ave., Cincinnati, Ohio 45263. As a result of the search, Special Agents seized weapon-related items; an SKS Assault Rifle Magazine and loose rounds, 2 boxes of 7.62 Ammo, 35 loose rounds and speed loader, and a box of .380 rounds. A notebook containing "John Boehner" and "Ebola" among other writings was found during the search, as well as two envelopes with lists of country club members. A Dell laptop and other electronic media storage devices were seized and have been sent for forensic examination.

11. Special Agents observed during the search what appeared to be a bullet hole in the upper wall/ceiling of **HOYT**'s first floor bedroom.

12. On October 31, 2014, your affiant, along with another USCP special agent and a FBI Task Force Officer, interviewed Congressman John Boehner at his residence. Congressman Boehner stated he knew **HOYT** as the bartender at the Wetherington Country Club. Congressman Boehner did not recall any negative interactions with **HOYT**.

13. Congressman Boehner was in Cincinnati the weekend of November 1-4, 2014, to attend a Cincinnati Bengals game and to participate in the general elections.

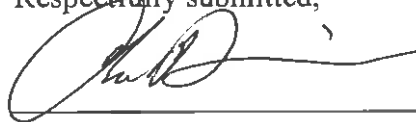
14. On November 4, 2014, your affiant along with another USCP special agent interviewed **HOYT**'s mother in Hebron, Kentucky. She stated that she did not believe **HOYT** to be a violent person; however, because he had become increasingly agitated and was not eating or sleeping, she took it upon herself to remove **HOYT**'s SKS assault rifle from his residence while **HOYT** was not at home. She surrendered the SKS assault rifle to USCP agents. The SKS assault rifle is currently being stored in evidence by FBI Cincinnati.

CONCLUSION

15. The United States Capitol Police and FBI Cincinnati believe **HOYT** poses a current and ongoing credible threat to Congressman Boehner. Although **HOYT** is currently held on a Court Ordered Mental Evaluation and Treatment, it is possible that **HOYT** may be released at any time at the hospital's discretion. Given Congressman Boehner's residence in the Cincinnati area and **HOYT**'s knowledge of individuals and facilities of Wetherington Country Club, **HOYT** may be able to gain access to Boehner at the club or sporting facility. Furthermore, **HOYT** was in a position to learn the Congressman's travel and leisure habits while he worked at the country club, which is information he could use to his advantage. **HOYT** disclosed to agents that he has access to additional firearms and indicated a motivation to murder Boehner for not only getting **HOYT** fired, but for failing to address the Ebola virus. Based upon these events, there is probable cause to believe that **MICHAEL R. HOYT**, did on or about October 29, 2014, threaten to murder John Boehner, the Speaker of the United States House of Representatives, with the intent to impede, intimidate, and interfere with such official while he was engaged in the performance of his official duties, in violation of Title 18, United States


Code, Section 115(a)(1)(B).

Respectfully submitted,



Christopher M. Desrosiers
Special Agent
United States Capitol Police

Subscribed and sworn to before me on November 6, 2014, at Cincinnati, Ohio.



Stephanie K. Bowman
UNITED STATES MAGISTRATE JUDGE